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08 MAR 26 11:30:00

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETITION FOR A WRIT OF HABEAS CORPUS

Name Fisher David F
(Last) (First) (Initial)Prisoner Number None

Institutional Address _____

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIADavid Fred Fisher
(Enter the full name of plaintiff in this action.)

vs.

Steve Cambr et alCase No. 08-1635
(To be provided by the clerk of court)PETITION FOR A WRIT
OF HABEAS CORPUS **CW**

(Enter the full name of respondent(s) or jailor in this action)

(PR)

Read Comments Carefully Before Filling InWhen and Where to File

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your petition will likely be transferred to the district court for the district that includes the institution where you are confined. Habeas L.R. 2254-3(b).

Who to Name as Respondent

You must name the person in whose actual custody you are. This usually means the Warden or jailor. Do not name the State of California, a city, a county or the superior court of the county in which you are imprisoned or by whom you were convicted and sentenced. These are not proper respondents.

If you are not presently in custody pursuant to the state judgment against which you seek relief but may be subject to such custody in the future (e.g., detainees), you must name the person in whose custody you are now and the Attorney General of the state in which the judgment you seek to attack was entered.

A. INFORMATION ABOUT YOUR CONVICTION AND SENTENCE

1. What sentence are you challenging in this petition?

- (a) Name and location of court that imposed sentence (for example; Alameda County Superior Court, Oakland):

Polk e m d n

Court

Location

- (b) Case number, if known _____

- (c) Date and terms of sentence _____

- (d) Are you now in custody serving this term? (Custody means being in jail, on parole or probation, etc.) Yes _____ No _____

Where?

Name of Institution: _____

Address: _____

2. For what crime were you given this sentence? (If your petition challenges a sentence for more than one crime, list each crime separately using Penal Code numbers if known. If you are challenging more than one sentence, you should file a different petition for each sentence.)

3. Did you have any of the following?

Arraignment: Yes _____ No _____

Preliminary Hearing: Yes _____ No _____

Motion to Suppress: Yes _____ No _____

4. How did you plead?

Guilty _____ Not Guilty _____ Nolo Contendere _____

Any other plea (specify) _____

5. If you went to trial, what kind of trial did you have?

Jury _____ Judge alone _____ Judge alone on a transcript _____

6. Did you testify at your trial? Yes _____ No _____

7. Did you have an attorney at the following proceedings:

(a) Arraignment Yes _____ No _____

(b) Preliminary hearing Yes _____ No _____

(c) Time of plea Yes _____ No _____

(d) Trial Yes _____ No _____

(e) Sentencing Yes _____ No _____

(f) Appeal Yes _____ No _____

(g) Other post-conviction proceeding Yes _____ No _____

8. Did you appeal your conviction? Yes _____ No _____

(a) If you did, to what court(s) did you appeal?

Court of Appeal Yes _____ No _____

Year: _____ Result: _____

Supreme Court of California Yes _____ No _____

Year: _____ Result: _____

Any other court Yes _____ No _____

Year: _____ Result: _____

(b) If you appealed, were the grounds the same as those that you are raising in this

1 petition? Yes _____ No _____

2 (c) Was there an opinion? Yes _____ No _____

3 (d) Did you seek permission to file a late appeal under Rule 31(a)?

4 Yes _____ No _____

5 If you did, give the name of the court and the result:

6 _____

7 _____

8 9. Other than appeals, have you previously filed any petitions, applications or motions with respect to
9 this conviction in any court, state or federal? Yes _____ No _____

10 [Note: If you previously filed a petition for a writ of habeas corpus in federal court that
11 challenged the same conviction you are challenging now and if that petition was denied or dismissed
12 with prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit
13 for an order authorizing the district court to consider this petition. You may not file a second or
14 subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit. 28
15 U.S.C. §§ 2244(b).]

16 (a) If you sought relief in any proceeding other than an appeal, answer the following
17 questions for each proceeding. Attach extra paper if you need more space.

18 I. Name of Court: _____

19 Type of Proceeding: _____

20 Grounds raised (Be brief but specific):

21 a. _____

22 b. _____

23 c. _____

24 d. _____

25 Result: _____ Date of Result: _____

26 II. Name of Court: _____

27 Type of Proceeding: _____

28 Grounds raised (Be brief but specific):

1 a. _____
 2 b. _____
 3 c. _____
 4 d. _____
 5 Result: _____ Date of Result: _____

6 III. Name of Court: _____
 7 Type of Proceeding: _____
 8 Grounds raised (Be brief but specific):
 9 a. _____
 10 b. _____
 11 c. _____
 12 d. _____
 13 Result: _____ Date of Result: _____

14 IV. Name of Court: _____
 15 Type of Proceeding: _____
 16 Grounds raised (Be brief but specific):
 17 a. _____
 18 b. _____
 19 c. _____
 20 d. _____
 21 Result: _____ Date of Result: _____

22 (b) Is any petition, appeal or other post-conviction proceeding now pending in any court?
 23 Yes _____ No _____

24 Name and location of court: _____

25 B. GROUNDS FOR RELIEF

26 State briefly every reason that you believe you are being confined unlawfully. Give facts to
 27 support each claim. For example, what legal right or privilege were you denied? What happened?
 28 Who made the error? Avoid legal arguments with numerous case citations. Attach extra paper if you

1 need more space. Answer the same questions for each claim.

2 [Note: You must present ALL your claims in your first federal habeas petition. Subsequent
3 petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant,
4 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).]

5 Claim One: Continued on Page 1

6
7 Supporting Facts: _____
8
9
10

11 Claim Two: _____
12

13 Supporting Facts: _____
14
15
16

17 Claim Three: _____
18

19 Supporting Facts: _____
20
21
22

23 If any of these grounds was not previously presented to any other court, state briefly which
24 grounds were not presented and why:
25
26
27
28

1 List, by name and citation only, any cases that you think are close factually to yours so that they
2 are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning
3 of these cases:

4 Continued on Page 1

6
7 Do you have an attorney for this petition?

Yes ☐

No ☒

8 If you do, give the name and address of your attorney:

9
10 WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in
11 this proceeding. I verify under penalty of perjury that the foregoing is true and correct.

12
13 Executed on March 18, 2008 David Fred Fisher
14 Date Signature of Petitioner

15
16
17
18
19
20 (Rev. 6/02)

David Fisher

1516 166TH Ave.

San Leandro CA 94578

Petitioner

The United States District Court for
the Northern District of California
Respondent

hereto I am formula I can make up

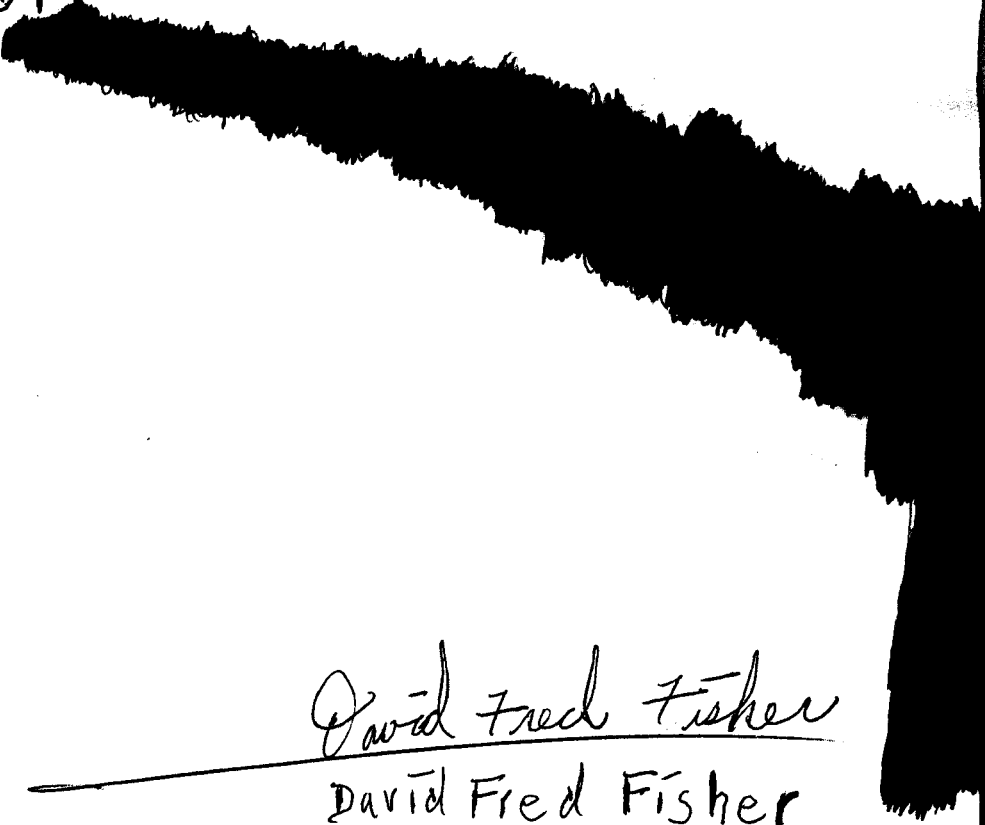
March 18, 2008 David Fred Fisher
David Fred Fisher

On the day April 26, 1994 Mr. Fisher was charged with the following offenses hereafter Penal Code 261 (a) (2) 2 counts Penal Code 288 (b) 2 counts forcible lewd act on a child under 14, Penal Code 2⁷⁰88 (a) (3) and Penal Code 270 continuous sexual abuse, hereto the partys crimes offenses.

I can't be that make up, that's a resume, continuous sexual abuse on a child, you can't be that make, run over,

I don't go that Mr. Fisher, no income
moreover, hereafter, to USA Amend. 12
, furthermore, I can't be temporarily
incapable make, USA Amend. 12.

I declare under perjury the foregoing is true and correct.



David Fred Fisher
David Fred Fisher

REGISTRATION RECEIPT

☒ TEMPORARY REGISTRATION RECEIPT (Expires 10 days from date)☐ PERMANENT REGISTRATION RECEIPT☒ Penal Code Section 290

CII Number 08946501

☐ Penal Code Section 457.1

OLN D2886193

☐ Health and Safety Code Section 11590

Name of Registrant

Date of Birth

FISHER, DAVID F

3/13/1973

Residence Address

1512 188TH AV, SAN LEANDRO, CA, 94578

Name of Registering Agency

ALAMEDA COUNTY SHERIFF'S OFFICE / AVD151

Right Thumb Print

Date of Annual Update

Date of Registration

03.13.05

03.12.08

Signature of Registering Officer / Badge Number

Signature of Registrant

#85

SS-8072 (Rev. 3/05)

A

David Fred Fisher
1512 166th Ave
San Leandro, CA 94578

United States District Court for the
Northern District of California
450 Golden Gate Ave
San Francisco, CA 94102

